

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

CRIMINAL CASE NO. 2:09cr008

UNITED STATES OF AMERICA,)

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vs.

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HOPE ANN GRAVES.

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ORDER

THIS MATTER is before the Court on the Defendant's letter filed on September 22, 2010, which the Court construes as a motion to defer the restitution payments that she is required to make through the Inmate Financial Responsibility Program (IFRP). [Doc. 19].

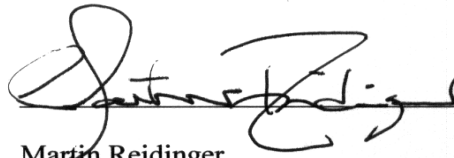
The Bureau of Prisons has the authority to place a defendant in the IFRP based on the wording contained in the criminal judgment. See United States v. Watkins, 161 F. App'x 337, 337 (4th Cir. 2006); Bramson v. Winn, 136 F. App'x 380, 381 (1st Cir. 2005). Before seeking relief from any court regarding obligations under the IFRP, a defendant must exhaust all administrative remedies through the Bureau of Prisons. McGhee v. Clark, 166 F.3d 884, 887 (7th Cir. 1999). Once all administrative remedies have been exhausted, a defendant may challenge such payments only by filing

the appropriate pleading in the district court located in the district of confinement, not the sentencing court. See Moore v. Olson, 368 F.3d 757, 759 (7th Cir. 2004); Matheny v. Morrison, 307 F.3d 709, 711-12 (8th Cir. 2002).

IT IS, THEREFORE, ORDERED that the Defendant's motion to defer the restitution payments that she is required to make through the IFRP [Doc. 19] is **DENIED**.

IT IS SO ORDERED.

Signed: October 1, 2010


Martin Reidinger
United States District Judge

